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EXPRESS MAIL NO.: EL 477 035 656 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rosenthal et al.

Group Art Unit: to be assigned

Serial No.: 10/062,794

Examiner: to be assigned

Filed: January 31, 2002

Attorney Docket No.: 10177-101

For: MEDICAL DEVICE FOR  
DELIVERING BIOLOGICALLY  
ACTIVE MATERIAL

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application" dated January 28, 2002, applicants herewith submit an executed *Declaration For Non-Provisional Patent Application* and ten (10) sheets of substitute drawings.

Applicants also submit an executed *Power Of Attorney By Assignee And Exclusion Of Inventor(s) Under 37 C.F.R. 3.71 With Statement Under C.F.R. 3.73(b)*.

Please charge the required fee, which is believed to be \$130.00, to Pennie & Edmonds LLP Deposit account 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

*Gidon D. Stern*  
*Gidon D. Stern* 42,412 27,469  
Gidon D. Stern (Reg. No.)

Date: April 8, 2002

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Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/062,794	01/31/2002	Arthur Rosenthal	10177-101

CONFIRMATION NO. 3444

20583  
PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

## FORMALITIES LETTER



\*OC000000007625355\*

Date Mailed: 03/12/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - Drawings must be in dark ink (not pencil), except where color drawings or photographs are permitted.

*A copy of this notice **MUST** be returned with the reply.*

*Phuong Bui*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

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